



AP2900

[10121/01601]

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : James F. McGUCKIN

Serial No. : 09/697,306

Filing Date : October 27, 2000

For : SURGICAL APPARATUS AND METHOD

Group Art Unit: : To be assigned

Examiner : To Be Assigned

Commissioner for Patents  
Washington D.C. 20231

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope  
addressed to: Assistant Commissioner for Patents, Washington,  
D.C. 20231, on

Date: August 29, 2001

Signature \_\_\_\_\_

Reg. No. 35,508

Patrick J. Fay

TRANSMITTAL

SIR:

A Preliminary Amendment is being transmitted herewith for filing in the above-identified patent application.

If any additional fees are required, or to credit any over payment, please use deposit account no. 50-1492. A copy of this paper is enclosed for that purpose.

Dated: August 29, 2001

Respectfully submitted,

By: \_\_\_\_\_

Patrick J. Fay, Reg. No. 35,508

FAY KAPLUN &amp; MARCIN, LLP

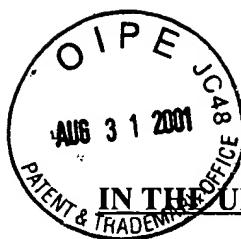
100 Maiden Lane, 17<sup>th</sup> Floor

New York, NY 10038

(212) 898-8870 (phone)

(212) 208-6819 / (212) 898-8800 (facsimile)

RECEIVED  
SEP -6 2001  
TC 3700 MAIL ROOMRECEIVED  
SEP -6 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

L. Parks  
9-7-01  
#31 Pre  
[10121/01601] And H.A.

RECEIVED

SEP 05 2001

TECH CENTER 1600/2900

Applicant : James F. McGUCKIN

Serial No. : 09/697,306

Filed : October, 27, 2000

For : SURGICAL APPARATUS AND METHOD

Art Unit : To be Assigned

Examiner : To be Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date: August 29, 2001

Reg. No. 35,508

Signature

Patrick J. Fay

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

SIR:

Prior to examination on the merits, please amend the above-identified application as follows:

RECEIVED  
SEP - 8 2001  
TC 3700 MAIL ROOM

IN THE SPECIFICATION

On page 1, before line 4, please insert the following paragraph:

- Cross-Reference to Related Applications

This application is a Continuation Application of U.S. Patent Application Serial Number 08/988,052, filed December 10, 1997, which is a Continuation Application of and claims priority to U.S. Patent Application Serial Number 08/352,325, filed December 7, 1994, now U.S. Patent No. 5,868,760. [ ]

IN THE CLAIMS:

Please cancel claims 1 - 35 without prejudice and add new claims 36 - 51 as follows: